

The revolving door of reform: Professionalism and the future of probation services in England and Wales

James Tangen and Ravinderjit Kaur Briaah

De Montfort University, UK

Abstract

Reform of probation services in England and Wales has been a frequent feature of its history, though the pace of review, restructuring and modification has increased exponentially in the last 30 years. This paper provides a brief history of changes to the National Probation Service since its inception in the Criminal Justice and Court Services Act 2000 to the recent announcements of the merger of prison and probation services into a new agency, Her Majesty's Prison and Probation Service. Commonalities are identified between the various programmes of reform instigated throughout the last 17 years, drawing on insights from Pollitt. The paper addresses the implications for the future of a public probation service in England and Wales after the National Offender Management Service (NOMS) ceased to exist in April 2017 and Her Majesty's Prison and Probation Service was inaugurated.

Keywords

community justice, probation, National Offender Management Service (NOMS), organizational change, privatization

Citation

Tangen, J & Briaah, R (2018) 'The revolving door of reform: Professionalism and the future of probation services in England and Wales', *Probation Journal* [10.1177/0264550518768398](https://doi.org/10.1177/0264550518768398)

Please note: This version of the article is the agreed version of the text following peer-review. However, the article is not formatted for publication, and so page numbers will be different to the final published article

Copyright © [2018] (The Authors)

Introduction

Reform of probation services in England and Wales has been a frequent feature of its history, though the pace of restructuring and modification has increased exponentially in recent years (Burke and Collett, 2016). Driving these reforms is a recurring concern with cost efficiencies and concerns about the efficacy of rehabilitative interventions – common elements of the New Public Management framework (Mair and Burke, 2012). Of less concern has been understanding probation work as a morally-oriented duty with a unique place within criminal justice practices (Whitehead, 2016a). This paper provides a brief history of changes to the National Probation Service since its inception in the Criminal Justice and Court Services Act 2000 to the recent merger of prison and probation services into a new agency, Her Majesty's Prison and Probation Service (HMPPS). Commonalities are identified between the various programmes of reform instigated throughout the last 17 years. The paper principally analyses the implications for the future of the public probation service in England and Wales after the National Offender Management Service (NOMS) ceased to exist in April 2017 and was replaced by HMPPS (Ministry of Justice, 2017c).

The National Probation Service was established through the Criminal Justice and Court Services Act 2000. It was a significant reconfiguration of the functions of the post-conviction elements of the criminal justice system. For several years prior to New Labour's rise to power, probation officers resisted attempts to develop a more punitive ethos for probation practice (Nash and Ryan, 2003). Following the separation of probation officer training from that of social workers in the mid- 1990s, the new National Probation Service was governed by a policy framework that symbolically represented a further step away from the legacy of liberal welfarism in criminal justice policy (Annison et al., 2008). This is not intended to suggest established practitioners, or even those in training, felt their work was any less oriented towards the probation tradition of focusing on person-centred work to reform and rehabilitate offenders. Indeed, Canton (2011) offers an engaging argument against the kind of history presented here, because it presents a reductive account of changes in probation practice based too much on official documents and not enough on practitioners' experiences of living through such changes. This account, whilst recognizably partial, focuses on the institutional reforms and organizational restructuring to offer some insights into the changing context of probation services over a little more than a decade and a half.

In 2001 Eithne Wallis, the first Director of Probation following her successful management of the process of transitioning probation to a (semi)national model, presented a strategic plan for this new service (National Probation Service, 2001). The rhetoric of the time still echoed with the New Labour edict that their government would be 'tough on crime, tough on the causes of crime', though history has shown this to be an unbalanced promise focusing more on the former than the latter (Burke and Collett, 2010). The new vision of probation focused on public protection, law enforcement and rehabilitation delivered through an evidence-based framework (National Probation Service, 2001).

Two years after *A New Choreography*, a review of correctional services in England and Wales, *Managing Offenders, Changing Lives* (Carter, 2003), proposed the extension of competitive markets to both the prison and probation services. Notionally an attempt to drive

up the quality of interventions, the review conceptualized the separation of the key probation functions: supervising offenders and delivering interventions (Burke, 2016). The National Offender Management Service (NOMS) was established as a new agency within the Home Office, intended to centralize responsibility for the punishment of offenders and reduce reoffending through a single Chief Executive (Carter, 2003). During this period, local services lost their ability to operate independently, becoming Probation Areas with direct accountability to the National Probation Directorate within NOMS (Annison et al., 2008).

Bringing the strategic responsibilities for penal and community justice policies together whilst retaining a local operational model in both branches of NOMS was lauded as a revolutionary approach to breaking down the ‘silos’ of punitive and rehabilitative practices in the criminal justice system (Gale, 2012). The idea of sentences planned to be ‘seamless’ from custody into community was augmented by the identification of seven pathways out of reoffending, and the introduction of the Offender Management Model (Robinson and Raynor, 2006). This new model was intended to promote consistency across the country, whilst simultaneously supporting individualized programmes of intervention based on local services (Maguire and Raynor, 2013). However, these reforms were criticized for introducing a more technicist approach to probation work, emphasizing bureaucratic methods of working with people with complex needs, and a strong regime of accountability to centralized management at the expense of the individualized, one-to-one working of traditional probation approaches (Annison et al., 2008).

In 2007, Probation Areas regained a level of autonomy, ostensibly by modelling the organization of probation on the National Health Service. Probation Trusts were tasked with balancing localized operational priorities with centralized concerns about efficiency and value for money (Gale, 2012). Simultaneously, the strategic organization of probation services underwent one of several reorganizations to integrate the original Regional Offender Managers with Prison Service Area Managers, creating Directors of Offender Management (DOM). Only one of the newly constituted DOMs had experience of probation practice and the role of Director of Probation disappeared from the NOMS organizational structure when the DOMs were introduced (Burke and Collett, 2010). Consequently, by 2010 the probation voice was all but lost at the highest strategic levels – a situation reinforced when a reorganization of the nascent agency brought the Director General of Prisons to the head of NOMS as Chief Executive (Oldfield et al., 2010). Even at lower levels, probation staff formed a small cadre (3.2%) within NOMS headquarters, numbering barely over a hundred compared with nearly 3500 Prison Service staff working for NOMS in 2010 (Whitehead, 2016b).

As the financial crisis emerged, the UK government announced probation funding would decrease by 3 per cent each year between the 2009 and 2011 fiscal years (Oldfield et al., 2010). While £40 million was later announced to support the delivery of community orders, in a public service where expenditure is dominated by staffing costs, budget decreases inevitably meant reductions in operational staff resources (Oldfield et al., 2010). Notably, this was introduced during Gordon Brown’s time as Prime Minister, pre-dating the coalition government’s austerity agenda (Painter, 2013).

The introduction of ‘Transforming Rehabilitation’ (TR) in May 2013 heralded the abolition of probation trusts and the provision of community justice services by private providers (Ministry of Justice, 2013). The coalition government claimed it was opening up community justice to the voluntary sector, though in reality the penal voluntary sector was already well established in the UK (Tomczak, 2013). The value of introducing contestability into criminal justice practices, to create a ‘market’ of providers, has been challenged as a distraction from developing greater understanding of the way interventions are delivered (Rowe and Soppitt, 2014). While private companies have been involved in the management of prisons and the delivery of rehabilitative interventions for some time, moves to include the management of offenders within this framework had been resisted (Fitzgibbon and Lea, 2014; Ryan and Ward, 1990).

Governmental reform

Pollitt (2013) examined four decades of governmental reforms to identify commonalities in the way they are presented and justified. The framework he developed consists of four inter-related aspects. First, fundamental problems with executive agencies or policy programmes are asserted to exist without any systematic evidence to support the claim. Second, reforms are proposed without clear vision of the intended destination; targets that might frame the reform and guide practitioners to the purported ‘promised land’ are notable by their absence (Pollitt, 2013). In a similar vein, the third aspect of governmental reform programmes is that they are not accompanied by detailed costings. This is particularly pertinent given that a principle assertion in favour of government reform programmes is that they will achieve efficiency savings, reducing the cost to the public purse of providing key services, even when it is demonstrated such hopes are rarely realized (Gale, 2012). The lack of measurable targets, or costings, in support of proposed reforms is augmented by Pollitt’s (2013) fourth aspect, which highlights the common failure of reform programme designers to integrate a coherent and comprehensive process of evaluation that could highlight individual successes, or the impact of the overall programme. Instead, parts of the budget for reform programmes are ring-fenced for evaluation research undertaken by external organizations after the implementation of proposed reforms is underway (Stenson, 2005).

The series of reforms to probation services in England and Wales in recent decades can be shown to follow the framework identified by Pollitt (2013). The presentation of successive reforms as inherently necessary, but without any supporting evidence (Pollitt, 2013), is exemplified in the Transforming Rehabilitation agenda. The coalition government justified its reform of probation services under TR through references to the level of offending by people who have served terms in custody of less than 12 months (Grayling, 2013). However, no statutory authority to undertake this work was available until TR, meaning there was no evidence to suggest probation trusts would not achieve a positive impact if given the legal authority to engage with this group (Broad and Spencer, 2015).

The lack of evidence to support reform is perpetuated through the failure to establish clear criteria for success or failure (Pollitt, 2013). For example, the White Paper, *Swift and Sure Justice* (Ministry of Justice, 2012), presents a flexible approach to identifying success by leaving it to local communities to judge whether criminal justice agencies have delivered on

their promises. Only the usual metrics of increased efficiency and a reduction in reoffending are referenced directly as universally acceptable measures of success. However, there is a lack of clarity about whether efficiency savings should prioritize time or financial costs, with financial implications attached to opening court buildings outside of normal office hours, on weekends and Bank Holidays (Ministry of Justice, 2012). Further, 're-offending' is problematic as a criterion of success as it cannot be measured directly or accurately; criminal justice agencies have utilized rates of proven reconviction as a proxy instead (Zara and Farrington, 2015).

The third element of Pollitt's (2013) framework, the lack of appropriate costings for proposed reform programmes, is evident in the Transforming Rehabilitation white paper (Ministry of Justice, 2013). A combination of general terms, evaluations of existing projects, and broad estimates of the cost of crime with a range of several billion pounds are presented by the government, but no actual costings of the proposals are laid out in the document. Similarly, the 2010 green paper, *Breaking the Cycle* (Ministry of Justice, 2010), discusses the cost of crime, and potential savings at a systemic level. However, these are in the vague terms of 'more' or 'less', rather than detailed financial assessments.

Pollitt's (2013) fourth and final criterion identifies that public reforms are typified by the absence of an embedded, long-term programme of evaluation. Beyond the identification of immediate outputs, the evaluation of outcomes is a cornerstone of evidence-based practice. This requires reform programme designers to think beyond short-term goals to consider longer-term processes of rehabilitation. However, this is complicated by the tendency to implement change programmes immediately after they are proposed, without the opportunity for the current situation to be considered and appropriate measures identified (Lockyer and Heys, 2016).

The revolving door of reform

In December 2016 the UK government published the latest in a series of White Papers proposing wholesale reforms of the criminal justice system, *Prison Safety and Reform* (Ministry of Justice, 2016). The new White Paper continues the trends established in *Breaking the Cycle* (Ministry of Justice, 2010) and *Swift and Sure Justice* (Ministry of Justice, 2012), focusing on transparency, accountability and autonomy as a framework for delivering criminal justice reform. In a reaffirmation of Pollitt's (2013) view that government White Papers asserting the need for reform provide limited evidence, *Prison Reform and Safety* does not include a great deal of information. For example, by only including the proportional increase in assaults on prison staff without a baseline count of incidents, the evidence provided fails to establish a proper foundation for the claim that 'there should be no doubt that reform is urgently needed to save society the huge financial burden and the incalculable human misery caused by the current failures of the criminal justice system to cut reoffending rates' (Ministry of Justice, 2016: 12).

This is compounded by the inclusion of the youth justice system, women's prisons and the efficacy of probation services within the scope of the reform programme (Ministry of Justice, 2016), when none of these elements are referenced in the preceding 'evidence'

justifying reforms. Shortly after the publication of the White Paper, on 8 February 2017, the then Lord Chancellor and Secretary of State for Justice, the Rt Hon Elizabeth Truss, made a statement to the House of Commons: the existing strategic union of prisons and probation in England and Wales would end on 1 April 2017, to be replaced by a single operational agency, Her Majesty's Prison and Probation Service (Truss, 2017a).

The new arrangements replicate problems from NOMS in that career prison officers occupy the most senior roles, including the Chief Executive Officer, Chief Operating Officer, and the Director of Commissioning. In fact, of the ten members of the HMPPS Board of Directors, only one has a background in probation: Sonia Crozier (HM Government, 2017). Apart from announcing Michael Spurr as the Chief Executive Officer of HMPPS, continuing the same role he held in NOMS, the recent announcements single out Ms Crozier:

To meet the needs of women offenders across the whole system, for the first time there will be a Board Director responsible for women across custody and community. Sonia Crozier, Director of Probation, will take on this responsibility (reporting directly to the CEO) from 1 April 2017. (Truss, 2017a)

A greater focus on women in the criminal justice system is a welcome and necessary element of criminal justice reform. Further, allocating the role to the Director of Probation may appear a logical step; particularly given the role will be responsible for women both in custody and in the community. However, the scale of reform necessary to address decades of neglect of the experiences of women in the criminal justice system may eclipse the effective representation of probation within the highest echelons of HMPPS. Likewise, the responsibility for ensuring the probation voice is heard amongst the directors of HMPPS limits the strategic capacity to address the particular experiences of women in the criminal justice system. Consequently, the new arrangements are unlikely to deliver radical reform of criminal justice practice, which is necessary to respond to the needs of women in the criminal justice system (Baldwin and Atherton, 2015).

A statement by the probation practitioners union, NAPO (2017), suggests they hope the reforms will put probation at the heart of the justice system. This contrasts with the opposition mounted by NAPO to the legislation that would usher in the NOMS era and the later 'revolution' of rehabilitation. While ultimately unsuccessful, resistance from NAPO contributed to delays in the introduction of the Management of Offenders and Sentencing Bill in 2005 (Robinson and Burnett, 2007) and provided a vocal defence of an independent, public probation service during the development of Transforming Rehabilitation (Robinson et al., 2016). The recent, more optimistic statement by NAPO does not appear to recognize previous reforms focused on probation have attempted to increase the 'credibility' of community sentences by adopting a mode that involved making them more punitive (McNeill, 2010).

The role of Secretary of State for Justice has itself been a revolving door, appearing to be more about the process of reform, rather than achieving lasting improvements in the efficiency and effectiveness of the criminal justice system. Established by combining responsibility for prisons and probation, previously held by the Home Secretary, and the

functions of the Lord Chancellor, no incumbent has held the position for a full parliamentary term. When inaugurated, Lord Falconer carried over his previous role from the Department of Constitutional Affairs, though his short tenure lasted just under two months. Jack Straw took up the mantle on the ascendance of Gordon Brown, though he vacated the position three years later with the formation of the Coalition government. Straw's replacement was Ken Clarke, who continued New Labour's neoliberal developments through the 'Rehabilitation Revolution'. This prefaced the eventual introduction of private probation providers through Transforming Rehabilitation, overseen by Clarke's successor, Chris Grayling (Burke and Collett, 2016). It is notable that during his tenure Clarke also agreed a £2 billion reduction in the operating budget of the Ministry of Justice, continuing a trend in reducing the organizational capacity of the criminal justice system (Annison, 2015). Grayling entered the role through a mid-term Cabinet reshuffle two years after the Coalition came to power.

Following the success of the Conservatives in the 2015 general election, Grayling became the Leader of the House of Commons, making way for Michael Gove. Gove would last little more than a year, when he embarked on a failed Machiavellian venture for higher office. Liz Truss was moved to a more junior role as Chief Secretary to the Treasury within 12 months, following Theresa May's ill-advised decision to call a general election shortly after the announcement of the latest reforms. Truss' replacement, David Lidington, held the post for less than six months before being moved to the Cabinet Office as May attempted to assert her authority over a divided Cabinet. It remains to be seen whether the latest Secretary of State for Justice, David Gauke, will maintain his predecessors' commitments to reform of probation services. As the fifth Justice Secretary in less than three years, Gauke has the unenviable task of picking up the pieces caused by years of Conservative austerity measures and an illconsidered reform agenda. Unlike his last four predecessors, Gauke does have a legal background, though most of his political career has been at the Treasury; his views on reform of the community justice sector are currently unknown.

Professionalizing criminal justice practice?

A prominent feature in the statement made by the then Secretary of State for Justice is a purported need to 'professionalis[e] the prison and probation workforce' (Truss, 2017a). There is an irony in this proclamation, as probation officer training has been eroded in length and accreditation with each iteration of reform. Earlier attempts to position probation practitioners on a professional footing tied their training to that of social workers, with the role recognized as a specialism within social work practice (Gale, 2012). This arrangement lasted until Michael Howard became Home Secretary and delivered his infamous speech to the Conservative party conference in 1993, suggesting 'prison works' (Robinson and Raynor, 2006). The Diploma in Probation Studies (DipPS) relocated the foundations of practice to sit within criminological knowledge (Nellis, 2003). Although initially reflecting the social work experiences of the academics and Practice Development Assessors recruited to train new probation officers, the DipPS programme severed the connection with the social work legacy of probation practice (Annison et al., 2008). The new training programme was delivered within a framework of cognitivebehaviour psychology that underpinned the 'accredited' group work programmes at the time. This was at the expense of traditional probation officer

skills, such as building effective relationships with individuals under supervision (Worrall and Mawby, 2014). The culture amongst probation officers developed to accept public protection and multi-agency working as uncontroversial core aspects of their role (Burke and Collett, 2010). Coupled with the focus on utilizing technologies to support the assessment and management of the risks of causing serious harm posed by offenders under the supervision of probation services, the reconstruction of probation as a punitive practice had begun (Robinson and Raynor, 2006).

The decade during which the DipPS programme was delivered (1998–2008) saw a significant increase in operational staff other than probation officers undertaking ‘frontline’ tasks, such as completing assessments and managing offenders (Dominey and Hill, 2010). While probation officer grades, including trainees, increased by 53 per cent between 1997 and 2006, the same period saw an increase in the number of staff in the Probation Services Officer (PSO) role of 278 per cent; by 2006 there were more Probation Services Officers than main grade probation officers (Oldfield et al., 2010). Training for PSOs was delivered through local probation areas, with limited academic content and no direct support for learners from higher education institutions (Gale, 2012). While PSO training was formalized at a national level for the first time in 2010, through the Probation Qualification Framework (PQF), this was at a lower level than the more expensive training offered to practitioners on the probation officer grade (Dominey and Hill, 2010). According to the Qualifications and Credit Framework (Ofqual, 2008), the expectations for someone with a Level 3 qualification is they will ‘take responsibility for initiating and completing tasks and procedures’ (p. 47), while those with a degree (Level 6 qualification) will ‘take responsibility for planning and developing courses of action that are capable of underpinning substantial changes or developments’ (p. 49). Probation officers trained in the post-social work schemes have consistently been frustrated by the lack of time afforded for developing their understanding of the concepts and theories presented in the training and qualification programmes (Skinner and Goldhill, 2013). Time pressures were exacerbated during the PQF era, particularly in the final year of the contracts when higher education providers were obliged to facilitate a condensed version of their programmes. Originally the PQF process took approximately 27 months, but to meet the staffing demands of probation trusts the same material was ultimately delivered in a total of 15 months (McClelland, 2015).

Pressure on the time for developing quality casework was replicated in the National Standards governing the practice of probation officers, with limits on how long could be taken to complete risk assessments and sentence plans. The combination of monitoring and reporting systems to evaluate success in terms of timeliness, alongside growing caseloads, deprived practitioners of the capacity to develop interventions that might reduce reoffending (Judd and Lewis, 2015). The change in emphasis in practitioner training reflects the changing mode of interventions in probation. Since the emergence of the What Works agenda, offenders have attended programmes delivered with such consistency they become rigid and discretion is an obstacle to ‘effective’ practice, rather than a valuable tool for practitioners (Goodman, 2012). This highlights a move from individuals educated to critically reflect on their practice, to technicians trained to implement specific processes, eroding the professionalism and autonomy of probation practitioners (Nellis, 2003). For example, a

familiar refrain since the advent of the Diploma in Probation Studies has been that probation officer training has focused too much on developing standardized skills and enforcement, at the expense of the kind of academically rigorous thinking required to resolve the ethical and moral dilemmas experienced by probationers and probation officers alike (Raynor and Robinson, 2009). Consequently, ‘rehabilitation’ has become a technical activity that can be delivered by anyone: voluntary and community organizations, community rehabilitation companies or the Prison Service (Farrow et al., 2011).

An opportunity for some

The reforms announced in early 2017 provide opportunities for a range of interested parties. For example, probation officers have engaged with the CONTEST and Prevent strategies since they were developed (Wilkinson, 2014). Consequently, the promise of ‘higher pay and recognition for specialist skilled officers dealing with complex issues such as counter-terrorism, suicide and self-harm support and assessment’ (Truss, 2017a) will be welcomed by practitioners in these roles. This also provides an opportunity for career development within probation’s notoriously flat structure (Annison, 2007). However, there is a risk the reforms will fundamentally change the relationship between probation officers and the individuals they supervise. For example, by segregating offenders who hold extreme views into a specialist category, the label ‘terrorist’ may come to define the supervisory process. This would potentially undermine the ability of such offenders to be open and honest with their probation officer, which is an essential element in the process of resettlement and the ultimate goal of reintegration into society (Jones, 2015).

The current higher education providers contracted to deliver the new Professional Qualification in Probation (PQiP), as well as their competitor institutions, are likely to welcome the opportunity to expand their provision to cover ‘a new leadership programme, [and] an apprenticeship scheme to launch in April’ (Truss, 2017a). Apprenticeship schemes, combining higher-level studies alongside the demonstration of professional competency in the workplace, has grown in favour since they were introduced in 2008 (Bravenboer and Lester, 2016). Such programmes provide professional recognition through standards developed in conjunction with employers, whilst also recognizing the value of academic content in the training and development of professionals in the criminal justice system (Dominey and Hill, 2010). Similar programmes are already in use to provide professional training to current and aspiring nurses, police officers, and probation officers (Christopher, 2015). The proposed apprenticeship scheme specifically refers to ‘a new Prison Officer apprenticeship scheme [. . .] for over 1000 new officers that will help increase diversity and make it easier to join the Prison Service’ (Ministry of Justice, 2017d; emphasis added). The stated objective of ensuring it is easier to join the ‘Prison Service’ and not the new ‘Prison and Probation Service’ may be viewed as a Freudian slip, revealing more about the intent behind what could be interpreted as a benign announcement.

As well as new undergraduate programmes, the alignment of prison and probation services could introduce Master’s-level programmes (Level 7 qualifications). This would be one way of providing continuing professional development, career progression and leadership development, which was identified in the new post-sentence arrangements (Ministry of

Justice, 2017d). Indeed, the charity ‘Unlocked’ already facilitates a partnership between HM Prison Service and the University of Suffolk to recruit high-achieving graduates to fill prison officer vacancies in London and the South East as a part of a two-year leadership development programme. This programme combines discrete academic input with extended periods of mentored support in the work environment, leading to both a Diploma in Management and Care of Individuals in the Custodial Environment and a MSc in Leadership and Rehabilitation in Custodial Environments (Unlocked, 2017). While supported by the government, this is a single programme delivered by a third-sector organization and may not reflect the wider leadership development programme. However, it sets a precedent for delivering postgraduate training that runs counter to the trend established in the Probation Service since its separation from social work training 20 years ago.

Investing in reform?

The assertion that the government’s investment in HMPPS represents a desire to develop ‘a world-leading, specialist agency’ (Truss, 2017a) highlights the revolving door of post-sentence criminal justice reform. This sentiment echoes the vision presented for the nascent National Probation Service some 16 years earlier in *A New Choreography* (National Probation Service, 2001). In order to achieve this aim the Ministry of Justice (2017d) has invested in financial incentives for prisons struggling to recruit and retain staff, and mentors for new prison officers. Exactly how much of an incentive is being provided is not disclosed; neither are there detailed costings of projected savings and liabilities of this programme. As well as announcing the development of the new prison officer training and development programmes, the government announced it will invest ‘an additional £100 m a year and [recruit] 2,500 additional prison officers’ (Truss, 2017a). Further details provided in the press release accompanying the written statement to parliament identify that ‘389 job offers [have been made] to new recruits wanting to join the Prison Service which puts the government on track to recruit the first 400 of the extra 2,500 frontline officers committed to be in place by the end of March 2017’ (Ministry of Justice, 2017d).

By announcing new investment monies, the cost of reforming the staffing structures is obscured. Reconfiguring two executive agencies with distinct staff groups, professional values, infrastructure and capital assets costs both time and money, even before new expenditure is taken into account (Pollitt, 2013). Conspicuously, the announcements outlining the reforms of post-conviction criminal justice focus solely on support for the Prison Service. In fact, none of the eight points highlighted to press editors in the statement released on 8 February (Ministry of Justice, 2017d) mention probation services. In a subsequent speech on criminal justice reform made on 13 February, Truss (2017b) appeared to confirm this view by only referring to ‘probation’ as an adjunct to ‘prison’. Suggesting reform of the criminal justice system will extend beyond the prison estate and that prison and probation staff will be given more power to reform offenders, Truss (2017b) makes no comment about the mechanisms by which this will be done. These comments also appear to pre-empt the conclusions and recommendations of the comprehensive review of probation services commenced in the wake of critical reports on the performance of both Community

Rehabilitation Companies and the National Probation Service following the implementation of Transforming Rehabilitation (Robinson et al., 2017).

Alongside investing in frontline human resources for the prison service, a capital investment programme to build new prisons and redevelop existing sites was announced. Initially four sites were identified for the development of large prisons to provide up to 5000 new prison places; this additional capacity is expected to double within the current parliament and is underpinned by a further investment of £1.3 billion (Ministry of Justice, 2017b). The announcement of a prison-building programme was met with scepticism from some, with the Director of the Prison Reform Trust, Peter Dawson, commenting: ‘This massive investment in new prisons is not matched by a credible plan to reduce our reckless overuse of prison in the first place. The prison estate certainly needs an overhaul, but reducing demand would mean closing prisons, not opening them’ (Prison Reform Trust, 2017).

In contrast to the investment in frontline prison staffing and the development of the prison estate, reform of probation services in England and Wales has resulted in the reduction of local infrastructure and organizational capacity. For example, the implementation of the National Probation Service through the Criminal Justice and Court Services Act 2000 reduced 54 probation services to 42 probation areas (Gale, 2012). A similar reduction took place following the Offender Management Act 2007, which established a process for Probation Areas to apply to become a Probation Trust; in all, 35 were eventually constituted (Burke and Collett, 2010). Most recently, Transforming Rehabilitation saw probation trusts disbanded and a ‘new’ National Probation Service established, alongside 21 Community Rehabilitation Companies combining private companies and third-sector organizations in a hybrid model of public service delivery (Tomczak, 2013). While this arrangement offers potential access to a greater number of staff, they are of varying skill, experience and qualification (Annison et al., 2014). Nevertheless, this was a further reduction in the complement of staff working for a public sector probation service.

Conclusions

The recent reforms of probation services in England and Wales reproduce problematic elements of previous programmes. This includes a lack of detailed costings when the reforms were proposed and the absence of clear targets at the outset of the reform programme, against which success might be measured (Pollitt, 2013). These reforms continue two important trends of the last 30 years: first, the rationale underpinning probation practices has moved further away from the traditional, rehabilitative model and towards a punitive framework (McNeill, 2010; Robinson and Raynor, 2006). Second, the assets of an independent, public-sector probation service have been reduced, with its most significant asset – its well-trained staff – acquired wholesale by a prison service suffering a crisis of recruitment and retention (Ministry of Justice, 2017a). This is the second time in as many years that probation has been re-structured and its staff re-deployed to new organizations. Last time it was to new Community Rehabilitation Companies; now it is a merger with prison services. Neither of these types of organization embody the fundamental principle that probation services should be delivered for the public good, meaning not-for-profit.

It is somewhat ironic that the Ministry of Justice has determined the need for training programmes to develop the professionalism of the practitioners in the newly formed HMPPS, when less than 12 months ago it signed contracts with three higher education providers to deliver a range of routes to a qualification at Level 6 of the Qualifications and Credit Framework (QCF): the Professional Qualification in Probation (PQiP). The PQiP acts as a professional licence for probation officers, though further irony is found in calling it a 'professional qualification', when successive iterations of probation training programmes have been criticized for eroding the professional skills of community justice practitioners (Skinner and Goldhill, 2013). By prescribing a standard set of skills necessary to function as a probation officer, the ability of individual practitioners to respond to ethical and moral dilemmas within a well-developed framework of critical thinking is diminished (Raynor and Robinson, 2009). This is not intended to suggest that probation officers who qualify through more recent programmes of qualification are 'unprofessional', but that their skills are less developed at the point of graduation than under previous training arrangements. Consequently, there is a need for a well-structured programme of continuing professional development within the 12–18 months following the completion of the PQiP before a probation officer is capable, and confident, to address the range of issues that may emerge as they work with a range of complex individuals in need of support towards desistance from offending (Nellis, 2003).

If the proposed new programmes incorporate current approaches to probation training, with multiple points of entry and exit depending on the role and experiences of the individual, as well as higher level training currently supported for prison staff (Unlocked, 2017), then there is a genuine opportunity to develop a highly skilled, professional workforce that is critically engaged with their practice. This certainly appears to be the hope of the National Association of Probation Officers, who have been more restrained about the latest reforms than they were in opposition to the Transforming Rehabilitation agenda (NAPO, 2017). However, for this opportunity to be a success, some rationalizing of the different schemes currently deployed across both the prison and probation settings is necessary. A more strategic overview from HMPPS would assist this process.

The Probation Institute, established in the midst of the government's implementation of Transforming Rehabilitation, has taken on the role of implementing a professional development framework and a licensing scheme (Worrall, 2016). However, key elements of the Probation Institute's vision remain conceptual rather than practical. For example, the licensing scheme operates on a voluntary basis, undermining the attempt to construct a formalized system of accountability and authorized professional practice. Recognition of learning and experience only goes as far as endorsing the government's Community Justice Learning Framework and recommending individuals engage with their own continuing professional development. The Probation Institute must adopt a more proactive approach to tackling how probation and prison officers can retain their distinctive professional identities, and improve the foundations of their practice through professional learning and development. This must be achieved from within a convergent organizational structure and a government agenda that does not privilege one side of the balance over another.

Overall, further reforms of probation services in England and Wales are hardly welcomed, particularly as they symbolically re-position probation as an adjunct to prison services. However, repeated efforts over several decades to halt the revolving door of reform have proven unsuccessful. Perhaps the solution is to manage the impact of the reforms by influencing the new training programmes and developing robust empirical evidence to support the importance of the community context in promoting desistance from offending.

Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) received no financial support for the research, authorship, and/or publication of this article.

References

- Annison HMJ (2015) *Dangerous Politics: Risk, Political Vulnerability, and Penal Policy*. Oxford: Oxford University Press.
- Annison J (2007) A gendered review of change within the probation service. *Howard Journal of Crimine and Justice* 46(2): 145–161.
- Annison J, Burke L and Senior P (2014) Transforming Rehabilitation: Another example of English ‘exceptionalism’ or a blueprint for the rest of Europe? *European Journal of Probation* 6(1): 6–23.
- Annison J, Eadie T and Knight CH (2008) People first: Probation officer perspectives on probation work. *Probation Journal* 55(3): 259–271.
- Baldwin L and Atherton S (2015) Parental supervision. In: Baldwin L (ed.) *Mothering Justice: Working with Mothers in Criminal and Social Justice Settings*. Hook: Waterside Press, 211–238.
- Bravenboer D and Lester S (2016) Towards an integrated approach to the recognition of professional competence and academic learning. *Education þ Training* 58(4): 409–421.
- Broad R and Spencer J (2015) Understanding the marketisation of the probation service through an interpretative policy framework. In: Wasik M and Santatzoglou S (eds) *The Management of Change in Criminal Justice*. London: Palgrave Macmillan, 64–79.
- Burke L (2016) Where did it all go wrong? Probation under New Labour and the Coalition. In: Vanstone M and Priestley P (eds) *Probation and Politics: Academic Reflections from Former Practitioners*. London: Palgrave Macmillan, 33–58.
- Burke L and Collett S (2010) People are not things: What New Labour has done to probation. *Probation Journal* 57(3): 232–249.
- Burke L and Collett S (2016) Transforming Rehabilitation: Organizational bifurcation and the end of probation as we knew it? *Probation Journal* 63(2): 120–135.
- Canton R (2011) *Probation: Working with Offenders*. Abingdon: Routledge.
- Carter P (2003) *Managing Offenders, Reducing Crime*. London: Cabinet Office Strategy Unit.
- Christopher S (2015) The quantum leap: Police recruit training and the case for mandating higher education pre-entry schemes. *Policing* 9(4): 388–404.
- Dominey J and Hill A (2010) The higher education contribution to police and probation training: Essential, desirable or an indulgence? *British Journal of Community Justice* 8(2): 5–16.
- Farrow K, Kelly G and Stout B (2011) Thinking in practice: Redefining the relationship. *European Journal of Probation* 3(3): 43–59.
- Fitzgibbon W and Lea J (2014) Defending probation: Beyond privatisation and security. *European Journal of Probation* 6(1): 24–41.
- Gale J (2012) Government reforms, performance management and the labour process: The case of officers in the UK probation service. *Work, Employment and Society* 26(5): 822–838.

- Goodman AH (2012) Rehabilitating and resettling offenders in the community. Oxford: John Wiley & Sons.
- Grayling C (2013) Transforming Rehabilitation: Less Crime, Fewer Victims, Safer Communities. London: Ministry of Justice. Available at: <https://www.gov.uk/government/news/transforming-rehabilitation-less-crime-fewer-victims-safer-communities> (accessed 5 March 2017).
- HM Government (2017) National Offender Management Service. Available at: <https://www.gov.uk/government/organisations/national-offender-management-service> (accessed 22 March 2017).
- Jones C (2015) Managing extremist offenders. *Probation Journal* 62(2): 172–180.
- Judd P and Lewis S (2015) Working against the odds: How probation practitioners can support desistance in young adult offenders. *European Journal of Probation* 7(1): 58–75.
- Lockyer K and Heys R (2016) Local Commissioning, Local Solutions: Devolving Offender Management. London: Reform Research Trust.
- Maguire M and Raynor P (2013) Putting the OM into NOMS: Problems and possibilities for offender management. In: Brayford J, Cowe FB and Deering J (eds) What Else Works? Creative Work with Offenders. Cullompton: Willan Publishing, 236–253.
- Mair G and Burke L (2012) Redemption, Rehabilitation and Risk Management: A History of Probation. Abingdon: Routledge.
- McClelland M (2015) Review of Probation Qualifications Framework: A Brief Update – April 2015. London: NAPO. Available at: <https://www.napo.org.uk/review-probationqualifications-framework-brief-update-april-2015> (accessed 22 March 2017).
- McNeill F (2010) Probation, credibility and justice. *Probation Journal* 58(1): 9–22.
- Ministry of Justice (2010) Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders. London: Ministry of Justice.
- Ministry of Justice (2012) Swift and Sure Justice: The Government's Plans for Reform of the Criminal Justice System. London: Ministry of Justice.
- Ministry of Justice (2013) Transforming Rehabilitation: A Strategy for Reform. London: Ministry of Justice.
- Ministry of Justice (2016) Prison Safety and Reform: Cm 9350. London: Ministry of Justice. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/565014/cm-9350-prison-safety-and-reform-web.pdf (accessed 14 March 2017).
- Ministry of Justice (2017a) £12m pay boost to strengthen prison frontline and attract new recruits. Available at: <https://www.gov.uk/government/news/12m-pay-boost-to-strengthen-prison-frontline-and-attract-new-recruits> (accessed 26 April 2017).

- Ministry of Justice (2017b) Justice Secretary announces plans to create 5,000 modern prison places. Available at: <https://www.gov.uk/government/news/justice-secretaryannounces-plans-to-create-5000-modern-prison-places> (accessed 22 March 2017).
- Ministry of Justice (2017c) Justice Secretary launches HM Prison and Probation Service. Available at: <https://www.gov.uk/government/news/justice-secretary-launches-hmprison-and-probation-service> (accessed 28 June 2017).
- Ministry of Justice (2017d) Justice Secretary launches new prison and probation service to reform offenders. Available at: <https://www.gov.uk/government/news/justice-secretary-launches-new-prison-and-probation-service-to-reform-offenders> (accessed 28 February 2017).
- NAPO (2017) Napo statement on the announcement of Her Majesty's Prison and Probation Service. Available at: <https://www.napo.org.uk/news/napo-statement-announcementher-majestys-prison-and-probation-service> (accessed 13 February 2017).
- Nash, M and Ryan, M(2003) Modernizing and joining-up government: The case of the prison and probation services. *Contemporary Politics* 9(2): 157–169.
- National Probation Service (2001) *A New Choreography*. London: Home Office.
- Nellis M (2003) Probation training and the community justice curriculum. *British Journal of Social Work* 33(7): 943–959.
- Ofqual (2008) *Regulatory Arrangements for the Qualifications and Credit Framework*. Coventry: The Office of the Qualifications and Examinations Regulator.
- Oldfield M, Grimshaw R, Garside R, et al. (2010) *Probation Resources, Staffing and Workloads 2001–2008 (Revised Edition, February 2010)*. London: NAPO/Centre for Crime and Justice Studies.
- Painter C (2013) The UK Coalition government: Constructing public service reform narratives. *Public Policy and Administration* 28(1): 3–20.
- Pollitt C (2013) 40 years of public management reform in UK central government – promises, promises. *Policy & Politics* 41(4): 465–480.
- Prison Reform Trust (2017) Prison Reform Trust: Press & Policy – News – PRT comment: Prison Building Announcement. Available at: <http://www.prisonreformtrust.org.uk/PressPolicy/News/vw/1/ItemID/419> (accessed 22 March 2017).
- Raynor P and Robinson G (2009) Why help offenders? Arguments for rehabilitation as a penal strategy. *European Journal of Probation, University of Bucharest* 1(1): 3–20.
- Robinson G and Burnett R (2007) Experiencing modernization: Frontline probation perspectives on the transition to a National Offender Management Service. *Probation Journal* 54(4): 318–337.
- Robinson G and Raynor P (2006) The future of rehabilitation: What role for the probation service? *Probation Journal* 53(4): 334–346.

- Robinson G, Burke L and Millings M (2016) Criminal justice identities in transition: The case of devolved probation services in England and Wales. *British Journal of Criminology* 56: 161–178.
- Robinson G, Burke L and Millings M (2017) Probation, privatisation and legitimacy. *The Howard Journal of Crime and Justice* 56(2): 137–157.
- Rowe M and Soppitt S (2014) ‘Who you gonna call?’ The role of trust and relationships in desistance from crime. *Probation Journal* 61(4): 397–412.
- Ryan M and Ward T (1990) Restructuring, resistance and privatisation in the non-custodial sector. *Critical Social Policy* 10(30): 54–67.
- Skinner C and Goldhill R (2013) Changes in probation training in England and Wales: The Probation Qualification Framework (PQF) three years on. *European Journal of Probation* 5(3): 41–55.
- Stenson K (2005) Sovereignty, biopolitics and the local government of crime in Britain. *Theoretical Criminology* 9(3): 265–287.
- Tomczak PJ (2013) The penal voluntary sector in England and Wales: Beyond neoliberalism? *Criminology and Criminal Justice* 14(4): 470–486.
- Truss E (2016) Topical Questions: 06 December 2016. London: Hansard. Available at: <https://hansard.parliament.uk/Commons/2016-12-06/debates/1372CC8A-BE2C-4156-98B6-388840B0DA91/TopicalQuestions> (accessed 1 January 2017).
- Truss E (2017a) A statement by The Rt Hon Elizabeth Truss MP, Lord Chancellor and Secretary of State for Justice on Her Majesty’s Prison and Probation Service. Ministry of Justice. Available at: <https://www.gov.uk/government/speeches/prisons-and-probation> (accessed 1 January 2017).
- Truss E (2017b) A speech on criminal justice reform by the Secretary of State for Justice. Available at: <https://www.gov.uk/government/speeches/a-speech-on-criminal-justice-reform-by-the-secretary-of-state-for-justice> (accessed 28 February 2017).
- Unlocked (2017) What is Unlocked? Available at: <http://unlockedgrads.org.uk/home/> (accessed 22 March 2017).
- Whitehead P (2016a) ‘Shine like a jewel’: Kantian ethics, probation duty, and criminal justice. *European Journal of Probation* 8(2): 51–67.
- Whitehead P (2016b) *Transforming Probation: Social Theories and the Criminal Justice System*. Bristol: Policy Press.
- Wilkinson B (2014) Do leopards change their spots? Probation, risk assessment and management of terrorism-related offenders on licence in the UK. In: Silke A (ed.) *Prison, Terrorism and Extremism: Critical Issues in Management, Radicalisation and Reform*. Abingdon: Routledge, 259–269.
- Worrall A (2016) Probation Institute: Right organisation, right timing? *British Journal of Community Justice* 14(1): 59–64.

Worrall A and Mawby RC (2014) Probation worker cultures and relationships with offenders.
Probation Journal 61(4): 346–357.

Zara G and Farrington DP (2015) Criminal Recidivism. Abingdon: Routledge.